

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

HARDY AND KELLY LLC,

Plaintiff,

v.

**QBE INSURANCE CORPORATION and
SPECIALTY INSURANCE AGENCY, INC.**

Defendants.

No. _____

NOTICE OF REMOVAL

Come Defendants QBE Insurance Corporation and Specialty Insurance Agency, Inc., by and through counsel, and give notice of their removal of this case to this Court, in support of which they assert the following:

1. On January 26, 2011, Plaintiff filed a Complaint in Davidson County Chancery Court, Docket No. 11-108-III, against the above-named Defendants.
2. A copy of the Complaint and Summons, which were served upon Defendants QBE Insurance Corporation on or about February 3, 2011, and on Specialty Insurance Agency, Inc., on or about January 31, 2011, are attached. These documents are all of the process, pleadings, and orders which have been served upon Defendants QBE Insurance Corporation and Specialty Insurance Agency, Inc., to date.
3. Plaintiff was at the time of the commencement of this action and still is a citizen of the State of Tennessee and of no other state.
4. Defendant QBE Insurance Corporation was at the time of the commencement of this action and still is a corporation organized under the laws of the State of Pennsylvania and of

no other state, with its principal place of business in the State of New York.

5. Defendant Specialty Insurance Agency, Inc. was at the time of the commencement of this action and still is a corporation organized under the laws of the State of New Jersey and of no other state, with its principal place of business in the State of New Jersey.

6. Defendants assert that the amount in controversy exceeds the sum or value of \$75,000.00, exclusive of interest and costs. The facts on which this assertion is based are as follows:

Plaintiff's Complaint prays for a judgment against Defendants for actual and compensatory damages of at least \$250,000.00, a 25% penalty on the liability for the loss pursuant to statute, treble or other exemplary damages at the maximum rate permitted by law, pre-judgment and post-judgment interest on all sums awarded at the maximum rate permitted by law, attorneys' fees, court costs, and other expenses related to this action, and such other legal and equitable relief as the Court determines is appropriate.

Based on the foregoing, Defendants request that this Court accept this Notice and proceed with this action.

Respectfully submitted,

**LEITNER, WILLIAMS, DOOLEY
& NAPOLITAN, PLLC**

By: s/ Thomas J. Dement II
Thomas J. Dement II

BPRN 17950

Attorney for Defendants QBE Insurance
Corporation and Specialty Insurance Agency, Inc.
414 Union Street, Suite 1900
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(615) 255-7722

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded, via the Court's Electronic Case Filing System (CM/ECF) to all parties indicated on the electronic filing receipt or by U.S. Mail, postage prepaid, to:

John Jacobson, Esq.
Elizabeth Gonser, Esq.
Riley Warnock & Jacobson, PLC
1906 West End Avenue
Nashville, TN 37203

This the 22nd day of February, 2011.

By: s/ Thomas J. Dement II
Thomas J. Dement II